

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kaitlin Campbell	Team: Squad #14	CCRB Case #: 201605592	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 06/26/2016 3:30 PM	Location of Incident: [REDACTED]	Precinct: 06	18 Mo. SOL 12/26/2017	EO SOL 12/26/2017	
Date/Time CV Reported Tue, 06/28/2016 12:28 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 06/28/2016 12:28 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POF Terry Riley	31517	940103	079 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Terry Riley	Force: Police Officer Terry Riley used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
B.POF Terry Riley	Discourtesy: Police Officer Terry Riley acted discourteously toward § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On June 26, 2016 at approximately 3:30 p.m., § 87(2)(b) was walking home when her route was intersected by the New York City Pride parade. In the vicinity of Hudson Street and West 10th Street in Manhattan, she encountered Police Officer Terry Riley of the 79th Precinct, who allegedly pushed and pulled on her shoulder (Allegation A) and allegedly stepped on her toes (Allegation B).

The investigation was unable to obtain video footage of this incident.

Mediation, Civil and Criminal Histories

- § 87(2)(b) was offered mediation once over the phone and once during her CCRB statement interview at her office in Manhattan. § 87(2)(b)

- § 87(2)(b)

Civilian and Officer CCRB Histories

- This is § 87(2)(b)'s first complaint with the CCRB.
- PO Riley has had one previous complaint filed against her with the CCRB in 2013 and it was unsubstantiated.

Potential Issues

- Neither § 87(2)(b) nor PO Riley remembered the exact intersection at which the incident occurred, preventing the identification of any civilian or MOS witnesses.

Findings and Recommendations

Allegation A -Force: Police Officer Terry Riley used physical force against § 87(2)(b)

It is undisputed that PO Riley placed at least one of her hands on at least one of § 87(2)(b)'s shoulders to physically move her.

§ 87(2)(b) said that PO Riley used her hands to push and pull her right shoulder and the right side of her neck, an area where she previously sustained five herniated disks. When asked specifically whether PO Riley put her hands on both of her shoulders, § 87(2)(b) could not say—although she said PO Riley did earlier in her CCRB interview. § 87(2)(b) believed it was not fair for PO Riley to prohibit her from crossing at that location.

According to PO Riley, she gently put her hand on § 87(2)(b)'s shoulder so that she could turn her in the direction of the intersection designated by PO Riley's command as the permitted crossing point for pedestrians wanting to get to the opposite side of the parade route. After about five minutes of disagreement, § 87(2)(b) walked away and a small crowd that had gathered cheered. She did not hear of § 87(2)(b) complain of any injuries. PO Riley said § 87(2)(b) was one of many civilians she interacted that day.

Patrol Guide procedure 221-01 states that in situations in which de-escalation techniques to gain voluntary compliance are not safe and/or appropriate, a police officer will use only the reasonable force necessary to gain control of a subject (**Board Review 01**).

§ 87(2)(g), § 87(2)(b)

Allegation B -Discourtesy: Police Officer Terry Riley acted discourteously toward § 87(2)(b)

§ 87(2)(b) was wearing sandals the day of the incident and said that PO Riley stood on her toes at least three times. She could not say whether PO Riley at any point stood on both of her feet.

PO Riley did not remember stepping on § 87(2)(b)'s toes.

§ 87(2)(g), § 87(2)(b)

Squad: 14

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date